



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

September 26, 2006

EPA Region 5 Records Ctr.



237679

Mr. Richard Karl, Director
Superfund Division
United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard (S-6J)
Chicago, Illinois 60604-3590

Dear Mr. Karl:

SUBJECT: Allied Paper, Inc./Portage Creek/Kalamazoo River Superfund Site

The Michigan Department of Environmental Quality (MDEQ), on behalf of the State of Michigan's Superfund Remedial Program, is pleased to concur with the Record of Decision (ROD) selection of sub-alternative 2C for Operable Unit 2 (OU2, also known as the Willow Boulevard/A-Site) that is to be issued for the Allied Paper, Inc./Portage Creek/Kalamazoo River Superfund Site by the end of September 2006. The State believes this ROD is protective consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) with respect to releases of hazardous substances that have occurred at OU2. This concurrence is contingent upon the final signed version being consistent with the final draft provided to the State.

In the State's Natural Resource Trustee capacity, it previously acknowledged there are outstanding natural resource damage issues yet to be resolved as stated in a letter dated August 19, 2005. In that letter (written after the Proposed Plan for OU2), the State and Federal Trustees supported an enhanced remedy that would minimize ongoing injuries to the resource and associated services. The United States Environmental Protection Agency (USEPA) has since explained that the recommendations of the Kalamazoo River Trustee Council go beyond what the USEPA can require in a remedy pursuant to its authority under CERCLA; and therefore, the recommendations cannot be included in the ROD itself.

The State requests that the Kalamazoo River Trustee Council's restoration goals (as described in the August 19, 2005, letter) and this letter be added to the Administrative Record for OU2. The MDEQ looks forward to the successful implementation of this ROD. If you have any questions, please contact Mr. Keith Krawczyk, State Project Manager, Superfund Section, Remediation and Redevelopment Division, at 517-335-4103, or you may contact me.

Sincerely,

Andrew W. Hogarth, Chief
Remediation and Redevelopment Division
517-335-1104

cc: Ms. Shari Kolak, USEPA
Ms. Jacqueline Hejmanowski, USEPA
Mr. Jim Sygo, Deputy Director, MDEQ
Mr. David Kline, MDEQ
Ms. Daria W. Devantier/Mr. Keith Krawczyk, MDEQ

